

Rosenman

DOCKET FILE COPY ORIGINAL

RECEIVED

AUG 25 2000

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

ROSENMAN & COLIN LLP
805 15TH STREET NW FLOOR 9
WASHINGTON DC 20005-2212

TELEPHONE: (202) 216-4600
FACSIMILE: (202) 216-4700
WEB SITE: <http://www.rosenman.com>

August 25, 2000

BY HAND

Magalie R. Salas, Esq.
Secretary
Federal Communications Commission
445 Twelfth Street, S.W., Room TW-A325
Washington, DC 20554

575 MADISON AVENUE
NEW YORK NY 10022-2585

ONE GATEWAY CENTER
NEWARK NJ 07102-5397

101 SOUTH TRYON STREET
CHARLOTTE NC 28280-0008

SPECIAL COUNSEL
LEE W. SHUBERT
(202) 216-4695

Re: Disclosure Statement behalf of **IDAHO BROADCASTING
CONSORTIUM, INC.**, respecting an MM Docket No. 99-
134

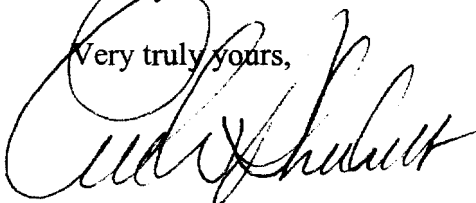
CLIENT NO. 43209-84672

Dear Ms. Salas:

Transmitted herewith, on behalf of **IDAHO BROADCASTING CONSORTIUM, INC.**, is an original and four copies of its **DISCLOSURE STATEMENT** connection with the above-referenced proceeding involving the amendment of the FM Table of Allotments [Section 73.202(b) of the Commission's Rules] respecting Drummond and Victor, Montana.

Should further information be desired in connection with this matter, kindly communicate directly with this office.

Very truly yours,



Lee W. Shubert

Enclosures (5)

cc(w/ 1 enc.): As per the Certificate of Service
Mr. Frederic W. Constant
Mr. Melvyn Lieberman

LWS/dml

No. of Copies rec'd 014
List A B C D E

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

RECEIVED

AUG 25 2000

**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY**

In the Matter of)	
)	
Amendment of Section 73.202(b),)	MM Docket No. 99-134
Table of Allotments,)	RM-9543
FM Broadcast Stations)	RM-9572
(Drummond and Victor, Montana))	

TO: Chief, Allocations Branch
Mass Media Bureau

DISCLOSURE STATEMENT

IDAHO BROADCASTING CONSORTIUM ("IBC"), by its attorneys and consistent with Section 1.1204 the Commission's Rules, hereby respectfully submits this summary of a meeting, held August 8, 2000, between and among members of the Mass Media Bureau staff,¹ the principal of IBC, and IBC's engineering and legal counsel respecting processing and procedural issues pertaining to several filings and/or proceedings involving IBC. Among the matters addressed was the proposed FM channel allotment for Victor, Idaho, in connection with the above-captioned proceeding.

1. IBC made a presentation indicating that it was frustrated with the Allocations Divisions regarding IBC's proposal to move Channel 294 from McCall, Idaho, to Victor, Montana. IBC advised the staff that its proposal did not conflict with the pending the proposal initially advanced by the proponent, Mountain West Broadcasting. With respect to the threshold proposal, IBC only suggested an alternative reference point for the allotment. IBC said

¹ In attendance at the meeting were Brian Butler, Jamilla Bess Johnson, Andrew Rhodes, Esq., Roy Stewart, Esq., Michael Wagner, Esq., Bert Withers, Harry Wong

that IBC has never proposed a channel substitution for the threshold proposal, but the addition of additional channels, including Channel 294. IBC also argued that the determination of the staff, in dismissing IBC's proposal, that IBC's proposal was short-spaced to KMSM-FM, Butte, Montana, as a factually erroneous determination.

2. The staff indicated that it would review IBC's pleadings and re-examine the question of the spacing to KMSM-FM. It explained that any delay in the processing of the pending Petition for Reconsideration that had been filed by IBC was result of work load burdens and not any animus of any kind towards IBC.

3. Upon the realization that IBC's initial pleading in connection with RM-9572 was in the nature of a counter-proposal, the staff advised that the communication by IBC rose to the level of an *ex parte* contact, and terminated the discussion as it related to the subject rule making proceeding. Moreover, the staff requested that IBC submit the instant disclosure statement to explicate the substance of the discussions.

4. This statement is being filed to ensure a complete record for all parties in connection with the above-captioned proceeding.

Respectfully submitted,

IDAHO BROADCASTING CONSORTIUM, INC.

By: 

Lee W. Shubert
Its Attorneys

ROSENMAN & COLIN LLP
805 15TH Street, N.W. 9th Floor
Washington, D.C. 20005-2202
Tel: 202-216-4600; Fax: 202-216-4700

Dated: August 25, 2000

CERTIFICATE OF SERVICE

The undersigned, an employee of **ROSENMAN & COLIN, LLP**, hereby certifies that the foregoing **DISCLOSURE STATEMENT** on behalf of **IDAHO BROADCASTING CONSORTIUM, INC.**, was mailed this date by First Class U.S. Mail, postage prepaid, to the following:

Mountain West Broadcasting
c/o Victor A. Michael, President
6807 Foxglove Drive
Cheyenne, WY 82009

Andrew Rhodes, Esq.
Policy and Rules Division
Mass Media Bureau
Federal Communications Commission
445 Twelfth Street, S.W., Room 2-C261
Washington, DC 20554

Battani Corporation
Robert Lewis Thompson
Taylor Thieman & Aitken, L.C.
908 King Street, Suite 300
Alexandria, VA 22314

Roy Stewart, Esq.
Chief, Mass Media Bureau
Federal Communications Commission
445 Twelfth Street, S.W., Room 2-C347
Washington, DC 20554

John A. Karousos
Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau
Federal Communications Commission
445 Twelfth Street, S.W., Room 3-A266
Washington, DC 20554

Michael Wagner, Esq.
Audio Services Division
Mass Media Bureau
Federal Communications Commission
445 Twelfth Street, S.W., Room 2-A523
Washington, DC 20554

By: 
Dolly LaForte

August 25, 2000